

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FEDERAL INSURANCE COMPANY, and )  
GREAT NORTHERN INSURANCE COMPANY, )  
Plaintiffs, )  
v. )  
SOUTHERN LITHOPLATE, INC., )  
SPECTRATECH INTERNATIONAL, INC., )  
and SAM T. ADAMS, )  
Defendants. )

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SOUTHERN LITHOPLATE, INC., )  
SPECTRATECH INTERNATIONAL, INC., )  
and SAM T. ADAMS, )  
Counterclaim and Third-Party Plaintiffs, )  
v. )  
FEDERAL INSURANCE COMPANY, GREAT )  
NORTHERN INSURANCE COMPANY, )  
ARROWOOD INDEMNITY COMPANY, )  
WAUSAU UNDERWRITERS INSURANCE )  
COMPANY, WAUSAU BUSINESS )  
INSURANCE COMPANY, LIBERTY )  
INSURANCE CORPORATION, PHOENIX )  
INSURANCE COMPANY, and TRAVELERS )  
INDEMNITY COMPANY, )  
Counterclaim and Third-Party Defendants. )

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that Travelers' motion for judgment on the pleadings is ALLOWED and all claims in the third-party complaint against the Travelers Indemnity Company and the Phoenix Insurance Company are hereby DISMISSED. Southern Lithoplate's claims for declaratory judgment and breach of contract against Phoenix and Travelers based on the duty to indemnify are DISMISSED WITHOUT PREJUDICE. All other claims are DISMISSED WITH PREJUDICE. Southern Lithoplate's motion to strike Travelers' Reply Brief is DENIED AS MOOT.

The remaining parties have reached a settlement as to all the remaining claims. See Stipulation of Dismissal at [DE-101]. Accordingly, all pending motions not addressed above are DENIED AS MOOT. The Clerk of Court is DIRECTED to close the case.

**This Judgment Filed and Entered on March 14, 2014, and Copies To:**

Joseph A. Arnold (via CM/ECF Notice of Electronic Filing)  
Kimberly Sullivan (via CM/ECF Notice of Electronic Filing)  
R. Dennis Fairbanks (via CM/ECF Notice of Electronic Filing)  
Walter J. Andrews (via CM/ECF Notice of Electronic Filing)  
Jonathan Reid Reich (via CM/ECF Notice of Electronic Filing)  
Reid C. Adams, Jr. (via CM/ECF Notice of Electronic Filing)  
Christopher C. Frost (via CM/ECF Notice of Electronic Filing)  
Joshua Benjamin Baker (via CM/ECF Notice of Electronic Filing)  
Bradley J. Mortensen (via CM/ECF Notice of Electronic Filing)  
Elizabeth A. Bartman (via CM/ECF Notice of Electronic Filing)  
Melanie Black Dubis (via CM/ECF Notice of Electronic Filing)

DATE  
March 14, 2014

JULIE A. RICHARDS, CLERK  
/s/ Susan K. Edwards  
(By) Susan K. Edwards, Deputy Clerk